

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICK L. WOOD,

Defendant.

Cv. No. 07-2049-JDB/tmp

ORDER QUASHING PREVIOUS ORDER DIRECTING UNITED STATES TO RESPOND
AND
ORDER DISMISSING MOTION TO VACATE AS MOOT

On January 23, 2007, Defendant Rick L. Wood, Bureau of Prisons (BOP) registration number 19881-076, filed a motion pursuant to 28 U.S.C. § 2255 contending that he was entitled to probation rather than incarceration.¹ On January 30, 2007, Wood reported to the Federal Correctional Institution in Memphis to begin service of his term of six months imprisonment. Since that date, Defendant has failed to provide the Clerk of Court with a change of address in either this civil or his criminal cases. All orders from the Court have been returned as undeliverable.

The Bureau of Prisons maintains an Inmate Locator Service accessible through its official internet website, which enables the public to track the location of federal inmates. The Court is permitted to take judicial notice of information on the Inmate

¹ Wood also filed a motion pertaining to this issue in his criminal case which was denied on January 25, 2007. See United States v. Wood, No. 04-20390-JDB, docket entries #130-133.

Locator Service. Rodriquez v. Fed. Bureau of Prisons, 2006 WL 3782717 at *1 (E.D. Mich. 2006)(citing Chukwuemeka v. Hogsten, 2006 WL 42175 at *1 n.2 (M.D. Pa. 2006); Meador v. O'Brien, 2005 WL 2133598 at *4 (E.D. Ky. 2005)). The Inmate Locator Service indicates that on July 27, 2007, Wood was released from custody.

The relief sought in this motion to vacate was probation rather than imprisonment. Because Wood has fully served his term of imprisonment and been released from custody, the motion to vacate is DENIED as moot.

IT IS SO ORDERED this 27th day of November, 2007.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE